

F-8681

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Katsuro TACHIBANA, et al.
Serial No. : 10/535,696
For : MEDICAL MATERIAL FOR USE IN THERAPEUTIC AGENT DELIVERY INTO TOOTH OR PERIODONTAL TISSUE AND APPARATUS FOR DELIVERING THERAPEUTIC AGENT INTO TOOTH OR PERIODONTAL TISSUE

Express Mail mailing label No. EV 585007487 US
Date of Deposit: June 27, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Hannah K. Zun

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF DECLARATION

Sir:

The application was filed without a declaration and the declaration is submitted herewith.

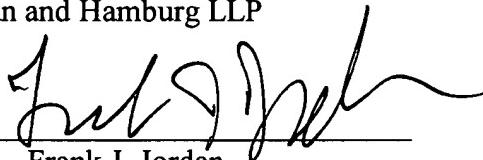
Attached hereto is a Declaration executed by the inventor. Please charge the \$65 government fee for late filing of the declaration to the credit card indicated in the PTO Form 2038, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

Respectfully submitted,

Jordan and Hamburg LLP

By



Frank J. Jordan
Reg. No. 20,456
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

DECLARATION OF POWER OF ATTORNEY
特許出願宣言書及び委任状

Japanese Language Declaration
日本語宣言書

Docket No. F-8681

As a below named inventor, I hereby declare that:

下記指名発明者として、私は以下の通り宣言します。

My residence, post office address and citizenship are as stated next to my name.

私の住所、郵便の宛先、国籍は下記の私の氏名の後に記載された通りです。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

下記の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者(下記の名称が複数の場合)であると信じます。

MEDICAL MATERIAL FOR USE IN THERAPEUTIC AGENT DELIVERY INTO TOOTH
OR PERIODONTAL TISSUE AND APPARATUS FOR DELIVERING THERAPEUTIC
AGENT INTO TOOTH OR PERIODONTAL TISSUE

the specification of which is attached hereto unless the following box is checked

上記発明の明細書(右に x 印がついていない場合は、本書に添付)は、

was filed on:

右の日付で November 21, 2003

as United States Application Number or PCT International Application Number

下記米国出願番号または特許協定条約国際出願番号として提出され、

PCT/JP2003/014953

and was amended on (if applicable):

(該当する場合)右の日付に補正されました。 _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、特許請求範囲を含む上記明細書、及び該当する場合は上記補正を確認し、内容を理解していることをここに表明します。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

私は、連邦規則法典第 37 編 第 I 条 56 項に定義されるとおり、特許資格の有無について関連ある情報を開示する義務があることを認めます。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified by checking the box, any foreign application for patent or Inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

私は、米国法典第 35 編 119 条 (a) – (d) 項又は 365 条 (b) 項に基づき下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約 365 (a) 項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を、以下に枠内をマークすることで、示しています。

Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed

優先権主張なし

<u>2002-339944</u>	<u>Japan</u>	<u>22 November 2002</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

<u>2003-389975</u>	<u>Japan</u>	<u>19 November 2003</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

私は、米国法典第 35 編 119 条 (e) 項に基づいて、下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)
(出願番号)

(Filing Date)
(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the application.

私は、米国法典第 35 編 120 条又は特許協力条約 365 条(c)に基づいて、下記の米国特許出願又は米国を指定している PCT 国際出願に基づく権利をここに主張します。又、本出願の各請求範囲の内容で、米国法典第 35 編 112 条第 1 項で規定された方法で、先行する米国特許出願又は PCT 国際出願に開示されないものに関して、連邦規則法典第 37 編 1 条 56 項で定義された特許資格の有無に関する情報の、その先行米国出願提出日から本出願の日本国内提出日または PCT 国際出願提出日までの期間中に公開されたものについて、開示義務があることを認識します。

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status:Patented/Pending /Abandoned)
(現況: 特許許可済、係属中、放棄済)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status:Patented/Pending /Abandoned)
(現況: 特許許可済、係属中、放棄済)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status:Patented/Pending /Abandoned)
(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on Information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 in the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

私は、自身の知識に基づいて、本宣言書中で行う表明が真実であり、かつ私の入手した情報と私の信じるところに基づく弁明が全て真実であると信じること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣言致します。

POWER OF ATTORNEY:

委任状

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

私は指名発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁護士または代理人として、下記

の者を指名いたします。 (弁護士、または代理人の氏名及び登録番号を明記のこと)

Frank J. Jordan	Reg. No. 20,456	Howard R. Jaeger	Reg. No. 31,376
C. Bruce Hamburg	Reg. No. 22,389	T. David Bomzer	Reg. No. 48,770
Herbert F. Ruschmann	Reg. No. 35,341	Ricardo Unikel	Reg. No. 52,309
Jacqueline M. Steady	Reg. No. 44,354		
Lawrence Wechsler	Reg. No. 36,049		
Marvin Turken	Reg. No. 18,330		
Alfred D'Andrea	Reg. No. 27,752		

Send Correspondence to:

書類送付先

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168

Direct Telephone Calls to: (name and phone number)

電話連絡先 (名前及び電話番号)

(212) 986-2340

Frank J. Jordan

唯一または第一発明者 Full name of sole or first inventor Katsuro TACHIBANA	
発明者署名 / 日付 Inventor's signature / Date  June 9, 2005	
住所 Residence Fukuoka-shi, Fukuoka, 810-0045, Japan	
国籍 Citizenship Japan	
郵便の宛先 Post Office Address Room 201, Erenshia Kusagae 1-11, Kusagae 2-chome, Chuo-ku Fukuoka-shi, Fukuoka, 810-0045, Japan	

第二共同発明者氏名 (該当する場合) Full name of second joint inventor, if any Misako NAKASHIMA	
第二発明者署名 / 日付 Second inventor's signature / Date <i>Misako Nakashima</i> June 18, 2005	
住所 Residence Fukuoka-shi, Fukuoka, 813-0014, Japan	
国籍 Citizenship Japan	
郵便の宛先 Post Office Address 18-7, Kashiidai 1-chome, Higashi-ku Fukuoka-shi, Fukuoka, 813-0014, Japan	